

103-3020-019

Kan. Cong. Dist. No. 2

Bill Roy
Form 10-300
(July 1969)

UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

**NATIONAL REGISTER OF HISTORIC PLACES
INVENTORY - NOMINATION FORM**

(Type all entries - complete applicable sections)

STATE: Kansas	
COUNTY: Leavenworth	
FOR NPS USE ONLY	
ENTRY NUMBER	DATE

1. NAME	
COMMON:	David J. Brewer House
AND/OR HISTORIC:	

2. LOCATION			
STREET AND NUMBER: 403 Fifth Avenue			
CITY OR TOWN: Leavenworth			
STATE Kansas	CODE 66048	COUNTY: Leavenworth	CODE 103

3. CLASSIFICATION					
CATEGORY (Check One)	OWNERSHIP	STATUS		ACCESSIBLE TO THE PUBLIC	
<input type="checkbox"/> District <input type="checkbox"/> Site <input type="checkbox"/> Object	<input type="checkbox"/> Public <input checked="" type="checkbox"/> Private <input type="checkbox"/> Both	<input checked="" type="checkbox"/> Occupied <input type="checkbox"/> Unoccupied <input type="checkbox"/> Preservation work in progress		Yes: <input type="checkbox"/> Restricted <input type="checkbox"/> Unrestricted <input checked="" type="checkbox"/> No	
PRESENT USE (Check One or More as Appropriate)					
<input type="checkbox"/> Agricultural <input type="checkbox"/> Commercial <input type="checkbox"/> Educational <input type="checkbox"/> Entertainment	<input type="checkbox"/> Government <input type="checkbox"/> Industrial <input type="checkbox"/> Military <input type="checkbox"/> Museum	<input type="checkbox"/> Park <input checked="" type="checkbox"/> Private Residence <input type="checkbox"/> Religious <input type="checkbox"/> Scientific	<input type="checkbox"/> Transportation <input type="checkbox"/> Other (Specify)	<input type="checkbox"/> Comments	

4. OWNER OF PROPERTY			
OWNER'S NAME: Ed Reilly			
STREET AND NUMBER: 1412 South Broadway			
CITY OR TOWN: Leavenworth	STATE: Kansas	CODE: 66048	CODE: 20

5. LOCATION OF LEGAL DESCRIPTION			
COURTHOUSE, REGISTRY OF DEEDS, ETC: Register of Deeds			
STREET AND NUMBER: Leavenworth County Courthouse			
CITY OR TOWN: Leavenworth	STATE: Kansas	CODE: 66048	CODE: 20

6. REPRESENTATION IN EXISTING SURVEYS			
TITLE OF SURVEY: A Survey of Historic Sites and Structures in Kansas			
DATE OF SURVEY: 1957 <input type="checkbox"/> Federal <input checked="" type="checkbox"/> State <input type="checkbox"/> County <input type="checkbox"/> Local			
DEPOSITORY FOR SURVEY RECORDS: Kansas State Historical Society			
STREET AND NUMBER: 120 West Tenth Street			
CITY OR TOWN: Topeka	STATE: Kansas	CODE: 66612	CODE: 20

SEE INSTRUCTIONS

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7. DESCRIPTION

CONDITION	(Check One)					
	<input type="checkbox"/> Excellent	<input checked="" type="checkbox"/> Good	<input type="checkbox"/> Fair	<input type="checkbox"/> Deteriorated	<input type="checkbox"/> Ruins	<input type="checkbox"/> Unexposed
	(Check One)			(Check One)		
	<input checked="" type="checkbox"/> Altered	<input type="checkbox"/> Unaltered	<input type="checkbox"/> Moved	<input checked="" type="checkbox"/> Original Site		

DESCRIBE THE PRESENT AND ORIGINAL (if known) PHYSICAL APPEARANCE

The Justice David J. Brewer House is a two-story frame structure with an irregular floor plan. The exterior walls are of horizontal wood siding. All doors and windows are enclosed with wood sills, jambs, and lintels. All the windows are rather tall, extending almost from floor to ceiling. A rubble stone foundation supports the structure and defines the perimeter of the original structure. Inspection of the west main entry with its double doors and the ornate porch trim suggests that the builder intended it to make a strong statement. The detailing of the second story roof eaves repeats that of the porch and the first story eave. This repetition serves to unite effectively all roof lines and gives the viewer the impression of a well thought out, well controlled design. Short gable windows and a small cupola serve to light the attic space so that some use would be possible. A minor second story addition to the structure appears quite stark in comparison to the subtle yet rich feeling projected by the original structure.

SEE INSTRUCTIONS

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3. SIGNIFICANCE

PERIOD (Check One or More as Appropriate)

☐ Pre-Columbian☐ 16th Century☐ 18th Century☐ 20th Century☐ 15th Century☐ 17th Century☒ 19th Century

SPECIFIC DATE(S) (If Applicable and Known)

1880-1889

AREAS OF SIGNIFICANCE (Check One or More as Appropriate)

☐ Aboriginal☐ Education☒ Political☐ Urban Planning☐ Prehistoric☐ Engineering☐ Religion/Phi-☒ Other (Specify)☐ Historic☐ Industry

losophy

Law

☐ Agriculture☐ Invention☐ Science☐ Architecture☐ Landscape☐ Sculpture☐ Art☐ Architecture☐ Social/Human-☐ Commerce☐ Literature

itarian

☐ Communications☐ Military☐ Theater☐ Conservation☐ Music☐ Transportation

STATEMENT OF SIGNIFICANCE

The David J. Brewer House in Leavenworth was from about 1880 to 1889 the home of Kansas' most noted jurist. David Josiah Brewer, who was born June 20, 1837, in Smyrna, Asia Minor, where his parents were missionaries, was educated at Wesleyan University in Middletown, Connecticut, and graduated with honors from Yale University in 1856. He then studied law in the office of his uncle, David Dudley Field, and completed his studies at the Albany Law School in 1858. Brewer turned down an offer to remain with his uncle's New York law firm and went west, eventually located at Leavenworth on September 13, 1859.

Throughout his life David Brewer served his state and his country in many capacities. He held various city and county offices, such as president of the Leavenworth Board of Education, superintendent of schools, county attorney, and judge of the probate and criminal courts. An active promoter of public education, he became well known throughout the state and in 1869 was elected president of the Kansas State Teachers Association. Brewer served as judge of the Kansas First Judicial District from 1865 to 1869 and as associate justice of the Supreme Court of Kansas from 1870 to 1884. In 1884 Pres. Chester Arthur appointed him judge of the United States Eighth Circuit Court, and in 1889 Pres. Benjamin Harrison elevated him to the United States Supreme Court. Brewer was the first Kansan to serve on the nation's highest court and the second justice west of the Mississippi. (At the time Brewer was appointed to the court, his uncle, Stephen J. Field, was also an associate justice. It was the first uncle-nephew combination in the court's history.)

Brewer remained a Supreme Court justice until his death on March 28, 1910. During his tenure on the bench, he also served in other capacities. He was president of the Venezuelan Boundary Commission appointed by President Cleveland in 1896 and a professor of law at George Washington University for several years. He was a gifted orator and in constant demand as a public speaker. Brewer was an advocate of disarmament, an opponent of colonial expansion and a firm believer in the use of arbitration to settle international disputes.

The David Brewer house is important because of the accomplishments and significance of the man who lived there. Justice Brewer served for more than 40 years in the courts of Kansas and the nation. His contributions and influence in the field of law have not been surpassed by any other Kansan.

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INVENTORY - NOMINATION FORM

(Continuation Sheet)

STATE	
Kansas	
COUNTY	
Leavenworth	
FOR NPS USE ONLY	
ENTRY NUMBER	DATE

(Number all entries)

9. (March, 1964), publication of the Graduate Division of Kansas State Teachers College, Emporia, Kansas.
- History of the State of Kansas (Chicago, A. T. Andreas, 1883), p. 439.
- Johnson, Allen, editor, Dictionary of American Biography (New York, Charles Scribner's Sons, 1929), v. 3, pp. 22-24.
- Kellogg, Lyman B., "The Founding of the State Normal School," Kansas Historical Collections, v. 12 (1911-1912), pp. 89, 90.
- Leavenworth City Directories from 1863-1890, assorted publishers.
- Leavenworth Times, March 6, 1932.
- Scott, Henry W., Distinguished American Lawyers (New York, Charles L. Webster and Co., 1891), pp. 75-88.

9. MAJOR BIBLIOGRAPHICAL REFERENCES

- Austin, Edwin A., "The Supreme Court of Kansas," Kansas Historical Collections, v. 13 (1913-1914), pp. 95-125.
- Blackmar, Frank W., editor, Kansas, A Cyclopedia of State History (Chicago, Standard Publishing Co., 1912), pp. 48-50.
- Bright, John D., editor, Kansas--The First Century (New York, Lewis Historical Publishing Co., 1956), v. 3, pp. 98-101.
- Clark, Gilbert J., Life-Sketches of Eminent Lawyers (Kansas City, Missouri, Lawyers International Publishing Co., 1895), v. 1, pp. 60-62.
- Eitzen, D. Stanley, "David J. Brewer, 1837-1910: A Kansan on the United States Supreme Court," The Emporia State Research Studies, v. 12, no. 3.

10. GEOGRAPHICAL DATA

LATITUDE AND LONGITUDE COORDINATES DEFINING A RECTANGLE LOCATING THE PROPERTY			O R	LATITUDE AND LONGITUDE COORDINATES DEFINING THE CENTER POINT OF A PROPERTY OF LESS THAN TEN ACRES		
CORNER	LATITUDE	LONGITUDE		LATITUDE	LONGITUDE	
	Degrees Minutes Seconds	Degrees Minutes Seconds		Degrees	Minutes	Seconds
NW	0 0 0	0 0 0		39	18	22
NE	0 0 0	0 0 0		94	55	02
SE	0 0 0	0 0 0				
SW	0 0 0	0 0 0				

APPROXIMATE ACREAGE OF NOMINATED PROPERTY: One acre

LIST ALL STATES AND COUNTIES FOR PROPERTIES OVERLAPPING STATE OR COUNTY BOUNDARIES

STATE:	CODE	COUNTY	CODE

11. FORM PREPARED BY

NAME AND TITLE:		Charles Hall, Architectural Consultant Richard D. Pankratz, Planner	
ORGANIZATION	DATE		
		November 2, 1971	
STREET AND NUMBER:			
120 West Tenth Street			
CITY OR TOWN:	STATE	CODE	
Topeka	Kansas	66612	20

12. STATE LIAISON OFFICER CERTIFICATION

As the designated State Liaison Officer for the National Historic Preservation Act of 1966 (Public Law 89-665), I hereby nominate this property for inclusion in the National Register and certify that it has been evaluated according to the criteria and procedures set forth by the National Park Service. The recommended level of significance of this nomination is:

National ☐ State ☒ Local ☐

Name Nyle H. Miller
Nyle H. Miller

Title Executive Secretary, Kansas State Historical Society

Date November 30, 1971

NATIONAL REGISTER VERIFICATION

I hereby certify that this property is included in the National Register.

Chief, Office of Archeology and Historic Preservation

Date _____

ATTEST:

Keeper of The National Register

Date _____

SEE INSTRUCTIONS